

EXHIBIT: 13 4 pages

Sworn Statement Of Gary Rogers.

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

Larry D. Thomas

Plaintiff/pro se **Civil Action No 2:05cv437-T**

Vs

SWORN STATEMENT OF

**R James Nicholson
Secretary, Department of
Veterans Affairs**

Gary L. Rogers
Name

Date 10/24/06

Time 1210 p.m.

A witness called for examination, after having been first duly sworn or affirmed, was examined and testified as follow:

EXAMINATION

By _____

Q. Where are you employed?

A. V. A. Medical Center, Montgomery, Alabama

Q. How long have you been employed at that facility?

A. Since Jun 12, 1994

Q. Since part of this complaint is based on race, please identify your race?

A. Black

Q. What is your title and grade?

A. IT Specialist, GS-9

Q. What is your area of responsibility?

A. I work in the Computer Hardware section as a hardware technician.

Q. Who is your first level supervisor?

A. Mark Kuehndorf

Q. Did you participate in Vista Imaging training or any other training conducted by Mr. Thomas?

A. No

Q. How was Mr. Thomas ability to communicate with you and the staff member of your service line?

A. Larry's communicative skills have never been a problem with me.

Q. If you received training from Mr. Thomas, how would you rate Mr. Thomas as a trainer and his ability to communicate with the class?

A. N/A

Q. Have you ever receive email from Mr. Thomas?

A. Yes

Q. Did you have problems understanding the emails sent out by Mr. Thomas?

A. No

Q. Have you ever been in the presents of Mr. Thomas around female staff members?

A. Yes, in general conversations.

Q. Did you or have you ever received complaints about Mr. Thomas inappropriate conduct around the opposite gender?

A. No never

Q. As a customer of Mr. Thomas, how would you rate Mr. Thomas ability to assist you and your staff with your computer problems?

A. N/A, I am a co-worker

Q. Can you give and example of the way Mr. Thomas assisted you and your staff?

A. N/A

Q. Do you work for Mr. William Greer?

A. No, he is in my chain of command.

Q. Would you consider Mr. William Greer a raciest?

A. I don't know if I can conclusively say he is a raciest, but I can say he is a conceited manager with a "big head complex". I think he is a poor manager who does not care about the people that work under him. He let's you know he has the power and will control you.

Q. Can you give example just two things that has happen in the workplace that would lead you to believe Mr. Greer is a raciest?

A. N/A

Q. Have you ever file an EEOC complaint against Mr. William Greer for discrimination.

A. No, I have had to go to the union twice about his actions.

Q. Would you say the VISN 7 as shown racism from the top management down to the facility level?

A. Mr Joey Wilkes, who is Mr Greer Boss seem to have a similar problem as Mr Greer

Q. If so, please give and example?

A. Mr Wilkes boast about an open door policy. I contacted him about discussing a problem I was having with Mr Greer and ask that he return my call. He never called me, but called Mr Greer letting him know that I was attempting to contact him in regards to the problem.

Q. Did Mr. Charles Wacker assume the duties Mr. Thomas was performing the Monday after his employment at CAVHS.

A. Yes, but I am not sure it was on that Monday. It was shortly after when I learned of it.

Q. What were the duties of Mr. Charles Wacker prior to assuming the duties of Mr. Thomas as you no?

A. He was handling purchasing for Information Technology. He was hired as a Computer Specialist, but never work in that capacity.

Q. From your professional opinion, having worked with Mr. Charles Wacker; do you field Mr. Charles Wacker was qualified to perform the duties of the Implementation Manager?

A. Anyone can be trained to be qualified for a position. He was groomed into that position. He smiles, eats and grin with Mr Greer and company and that what makes him qualified.

Q. Do you know Mr. Ty Beasley?

A. Yes

Q. Do you know of any professional computer certification held by Mr. Ty Beasley?

A. No, I don't know of any.

Q. Were you aware of Mr. Ty Beasley being Mr. Thomas First level supervisor while at CHVHCS?

A. No

Q. From your professional opinion, do you feel Mr. Ty Beasley had the skills and professional knowledge to be in charge of the Vista Imaging Manager?

A. N/A

Q. Do you know Mr. Harald Carlisle?

A. Yes

Q. Have you worked under Mr. Harald Carlisle?

A. Yes

Q. Do you have reason to believe Mr. Carlisle is a raciest?

A. I will say no. He has the same complex as Mr Greer. He is the one that hired Mr Greer.

Q. Have you ever file, or do you know of any discrimination actions being filed against Mr. Harald Carlisle other than the one by Mr. Thomas?

A. Yes

Sign: Gary L. Rogers Date: 10/31/06

CERTIFICATE OF NOTARY

I, _____, a Notary Public in and for the State
Of Alabama, before whom the above questions were answered and signed before me,
do hereby certify that I am neither counsel for, related to nor employed by any of
the parties to the action in which the proceeding were taken; and further, that I am
not a relative or employee of any attorney or counsel employed by the parties
thereto, nor financially or otherwise interested in the outcome of the action.

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1. This one of many of request the Mr. Thomas had requesting access considering all of my email was removed.
2. The Bio Med staff did not have the qualified personnel on their staff to support the clinic and I was ask by Dr. Robinson the acting chief of staff to get the Topcon Cameras online due to the backlog.
3. Schedule meeting that Mr. Piper would not have his staff attend, but the medical back load in most case when we had one included Bio Med and I ended up doing the work with Bio Med techs watching.